Transmitte

THE NEW POLICE BOARD RECEIVE CERTIFICATES OF OFFICE.

Notwithstanding the Opposition of Gamblers and Corrupt Police Officials -Necessity for affwel'-Managed Police to Look After Watersen's 100,000 "Unarmed" Democrats-Under the Control of a Separate Board. The President of the United States yesterday

ted the Attorney General to issue their co has hitherto appointed Commissioners of the Metlitan Police of the District of Columbia :

IOS, MATTHEW G. EMERY, Hon. FREDERICK POUGLASS,

Mr. John C. Harkness, Mr. John T. Mitchell. Mr. W. J. MURTAGE, president of the board,

those resignation has not been accepted, holds ver under his old commission. ident Grant has selected as members of the new police board an erroneous impression has hitherto prevailed that their confirmation by the Senate s required by law. A perusal of the following ections of the Revised Statutes bearing upo

vested with absolute power over the appointment and removal of the Police Commissioners: Police, who shall be appointed from time to time BY THE PRESIDENT OF THE UNITED STATES for are appointed and qualified, unless sooner re-

mered BY THE PRESIDENT. "Sec. 323. Three of the Commissioners of Police ene from Georgetown, and one from the county of

Washington at large."

It is thus manifest that the four new Police
Commissioners do not need the approval of the Senate to qualify them for the positions to which the President has appointed them. They will, therefore, be sworn into office to-day, and pursuant to a call issued by Mr. Murtagh, the president o the board, they will meet at police headquarters at 1 p. m. and enter upon the discharge of their du-ties. With respect to the course they will pursue toward those police officials who have obtained some celebrity during the past ferinight in connection with the investigation by the late board, nothing definite can be ascertained. It is believed in cer tain quarters, however, that Detectives Miller, McDevitt and McElfresh are exceedingly anxious, nay, clamorous, for vindication, and will de

mand an immediate trial from the new board. The latter will probably decide to grant urgent petitions of this nature, not alone because it will be anxious to remove any suspicions that may rest upon any member of the force, but because it will be eager to become initiated into the mysteries of detective duty and "official gam WILL THE POLICE BOARD BE ABOLISHED?

With the space of twenty-four hours Congress passed a bill abolishing the Police Commissioners, and transferring the command of the police force to the District triumciri. There was not a word of discussion in either wing of the Capifol, and many members who had intended opposing the bill knew nothing of its passage until it was too late. The bill was rushed through with unseeming haste. The flysterious influences that urged its speed through delay. But if it is a beneficial change the fact of speedy passage is no argument against it. and every police officer who befriends gam blers, is happy over the event, is a circum-stance that cught to make honest men pause before approving of the action of Con-Why should gamblers desire the extinction of the Police Board unless they expected to derive some benefit therefrom? Another consideration that Congress in its unaccountable haste Washington will an efficient and thoroughly die ciplined police force be needed so urgently as during the next two months. In view of the agitated political condition of the country, and the all important events that are to occur at this Capital, such as the counting of the electoral conflict, and possibly bloodshed. Who knows what may occur when Harry Watterson's one hundred thousand "unarmed" lambs arrive in our midst? Is it good policy at this juncture to transfer the command of the police force from five citizens, who have no other public duties than to maintain discipline, efficiency and good order among the 200 guardians of the pub-lic peace, to the three District Commissioners. who already have more than they can attend to In nearly every large city of the Union the police is under the control of its own officers and is a distinct department of the of the municipal government. And the reason is obvious. By keeping the Police Department under the control of officials having no other public duties they can devote more time and attention to its supervision. The sentiment of a very respectable and influential element in Washington is emphatically in favor of maintain

SNARES SET FOR CONGRESSMEN. Collusion of the Washington Police with Gam-blers-A Story in Point-The Case of Whit-

WASHINGTON, January 9.- The abolition of the Washington Police Commission was a proper thing. But I caution the committee appointed by the House to go slow on the statements o detective police officers as to Mr. Murtagh, the late Commissioner, "putting up a job" with them to injure Congressman Whithorne. Two de-tectives, it seems, Miller and McDevitt, allego that they and also their chief, Major Richards were approached by Murtagh and requested to decoy Whitthorne into a disreputable house, arrest him there, and expose him or hold the incident in terror over him, to prevent investigations into executive abuses. Does this look, at sight, like an editor's suggestion, or a detective's? Anybody who has read the novels of Fielding's day and the Newgate Calendar can recall a similar trap set by every detective since Jonathan

committees at the public expense do not almost invariably go of their own volition into just such traps. They generally do, and they generally get city detectives or police to accompany and protect them. It might be embarrassing if Mur-tagh would put the Whitthorne committee under out and question them: Were you ever in a place of that kind while killing time in Philadelphia: Where were you on such a night in New York? Now, I give it as my suspicion that the gamblers in Washington have for years paid the police. I hase this partly upon the fact that they are so thick together as thieves, and partly upon the following incident within my own experience:

About five years ago I was introduced, at a restaurant near Willard's hotel, to a Mr. Miller. He was very polite, deferential and instructive, and soon informed me that he was the brother-in-law of the Chief of Police and himself a detective officer—the first of that fraternity I had known at Washington. Mr. Miller, in the course of in-struction, said: "I wish, sir, that you would call the public attention to the gross system of blackmail the District Attorney's office is carrying out against the sporting men here." He then nar-rated that the gamblers and cyprians were being stampeded unless they settled privitely with money, and that one was convicted. I think, and many others indicted. As I had no reliness with criminal matters of that sort I sl. 14 have paid no further attention to the mat. except that Mr. Miller volunteered to produce his brother-in-

law the next day and confirm the accusation with him.

He brought to the same place the Chief of Police, a man, as I understand it, from Maine, and formerly a school teacher. Mr. Murtagh, also, is from Maine. So is the police justice. Snell, I think. The chief of police then assisted to tell a story in the interests of the criminal classes against the Pistrict Attorney, which is so remarkably like the plot they new attribute to Murtagh that had not a good opinion of the Chief of Police I should say that both story and plot were put up by the detectives.

The District Attorney was a man of family and derivation, a man past the middle age, domastic and of a fine, but sensitive spirit. He had two ambitious assistants, who turned ont afterwards to be very unscrupilous, though he did not suspect it; for he was so much of the time at home, aforesaid in practice.

Miller and Richards told me that this index

aforesald in practice.

Miller and Richards told me that this judge and public man had drifted into a disreputable nouse while intoxicated; that he had been identified and allowed to depart without settling his bill, and was not annoyed on the subject until his office was used to raid the gamesters and cyprians and break them up. Then, according to the story, the injured hostess and her boarder took a carriage down to the District Altorney's office and demanded a settlement. He sent for the Chief of Police, Richards, to protect him. Richards, for some mysterious reason, asw fit to communicate this to me, with his gratuitous statement that he believed the women. A gambling hone-proprietor was called in to give his estimony. It struck me that there was queer sympathy between the police and the gamblers. Years afterward I made the nequanitance of that District Attorney. His character seemed to me to be a reputition of the slander.

And now, after a large of the years, I read that Mesers, Richards and Miller, the same two near, wall upon the President and report to him? that they wape too both minded to listen to a surgestion from Mr. Min and to mind to the same wall was the place and sown thin it. A had now after a large of the place of the him that they wape too both minded to listen to a surgestion from Mr. Min and the minded to he had a surgestion from Mr. Min and the minded to he had the same wall was the place and sown lim it, whereas dis

the gamblers by getting into print the same sort of slander against the District Attorney.

An army officer out to be at the head of the Bistrict of Columbia police. While the Whithorne charges are examined the matter of police collusion with the gamblers ought also to be examined.

GATH.

"OFFICIAL GAMBLERS." How Detectives Work-A System that En-

coarages Crime—Compromising Felony and Assorting With Criminals—Story of an Old Detective—Why These Officers Recover Goods and Never Catch Thieves. ment, and the investigating committee would benefit not only this community, but the entire country, in uncovering certain mysteries that covelop the detective service. There is a sussicion in the minds of honest men that detective

officers as a rule are as "crooked" as the thieven with whom they assort. The detective system such as exists in Washington, is nothing more or less than a system of compromising felony. The detective department is an agency for communication with thieves and the recovery of goods. DETECTIVES ACT SIMPLY AS GO-BETWEENS. Professional thieves are not aired of detect ives. They have a horror of private police offi

eers, or "flats," because they know that when they fall into their hands there is little chance of scape. When the "flycops" get hold of them It is often wondered why it is that detectives recover so much stolen property and capture so few thieves. The thieves that are captured are generally small, miserable offenders, unable to offer any inducements.

ENCOURAGING CRIME. The detectives encourage a certain class of criminals that help them along in their business. In the testimony before the Police Board recently, it came out that these officials frequented and encouraged them, as places where they could find thieves. A detective said, a day or two ago, "When a professional thief makes a stake, the first thing he doos is to buck against a fare bank, and if you want to find him the first place to look is in a gambling room." The crime of keeping a gambling room is winked at, in order that the detectives may have a chance to meet the thieves.

desectives may have a chance to meet the thieves.

Another crime that is overlooked is that of buying stolen goods. When goods are reported stolen detectives take a run through the pawnshops. If the missing goods are found the pawnshops, if the missing goods are found the pawnshops to the owner of the goods and reports the fact that the goods have been found, and that it will be necessary to pay the pawnbroker the amount that has been advanced upon the goods before they can be recovered. Hather than have any trouble, the victims generally furnish the money. In this way crime is encouraged to a fearful extent. All of the coats, hats, umbrellas and other articles stolen by sneak-thieves make the same circuit. The thief goes to the pawnshop with his plunder without fear, the pawnshop with his plunder without fear, the pawnshop with the goods are in the pawn-shop. The pawnbrokers

for almost nothing by holding over them the fear of "peaching." Recently a case came to public notice in which a thief offered for sale to 5 pawn-broker a valuable gold watch and chain. The pawnbroker significantly said "that's crooked," and offered \$10 for the watch, which the thief was obliged to take. When the goods are redeemed by the owner he has to pay a good round sum for it, almost equal to the criginal price, so there is little doubt that the pawnbrokers drive a thriving business through their alliance with the thievas and detectives. Whether the detectives get a "whack" remains for some honest pawnbroker to come up and say.

The increase in the number of thievas and thefts in the city, which has been so often complained of during the past few months, is easily explained. Small thieves ply their trade with impunity, knowing that they can easily dispose of the goods. Pawnbrokers seem to have no fear in buying stolen goods.

The relations of the detectives with the professional thieves will make an interesting field of investigation.

When large robberies are made a portion of the

fessional inleves will have a made a portion of the investigation.

When large robberies are made a portion of the goods are generally recovered, and that is the last heard of the case. It is never made known how the goods were recovered, and why the thieves were not arrested. WHAT AN OLD DETECTIVE SAYS.

An old detective who was one of the original members of the detective corps attached to the Metropolitan police, says: The whole thing is rotten. An honest man cannot be a detective. He has got to ring in with thieves. A detective is nothing more than a thief.

They have put up all the big jobs. I have predicted several times that a big robbery was going to take place simply because I saw professional thieves connecting with detectives. When the detectives want to raise a stake they send off to New York or some other place, and say, "Send us some thieves." I have seen it. I have seen detectives standing about a corner waiting for their stake, while pickpockets were going through a crowd. When people get goods back which are recovered by detectives they ought to ask how they got the goods, and why they did not get the thief.

You remember the Shuster robbery. Well, that job was put up by the detectives. The thieves were arrested, but a man named Gardiner did it. I have had parties come to me and ask how they could recover papers and things that had been stolen from them. I told them to offer a liberal reward and detectives would come and bring them the goods. They did so, and the detectives came up with the things very soon, but they did not bring the theeves. When they investigate this matter they ought to have the books at police headquarters brought up, and inquire how all these goods were recovered. He said that he could tell an interesting story to the investigating committee, if necessary. The in vestigating committee could do no better thing than to clear away the mysteries that surround the detective work system.

Shall the Will be Contested?—W. H. Vander-bit Desirous of Providing for His Sisters Out of His Share—Everything Still Lovely. Nxw York, Jan. 10.—It appears from the state-ments of interested parties that the meeting of the relatives of the Vanderbilt family at the reading of the will on Monday morning was ex-ceedingly interesting. The immediate occasion was of course the dissatisfaction felt by the chilwas of course the dissatisaction left by the chil-dren of the departed Commodore, each of whom, except William H. Vanderbilt, expected to re-ceive one million of dollars. There was great disappointment and audible signs of grief.

One legatee represents Wm. H. Vanderbilt as being overwhelmed with surprise at the contents

being overwhelmed with surprise at the contents of the will, he having expected that the other members of the family would have been provided for in a manner more proportionate to the vast wealth of the Commodore. When he learned how the fortune had been willed, he sympathized deeply with his unfor-tunate sisters, giving way to tears at their dis-tress.

Upon recovering, he expressed regret that the will falled to provide for them in a suitable manner, and is said to have remarked: "I will three days that my sisters are more adequately

provided fer."

There was considerable conversation between the parties who feel aggrieved yesterday, and a sort of understanding, it is said, was arrived at that a sufficient quantity of securrities should be transferred by William to his sisters to make up with what has already been bequeathed in the will, one million as the portion of each. It would require about \$1,000,000 out of Wil-

It would require about \$4,000,000 out of Wil-liam's fortune to make this arrangement, but it is believed that harmony would be insured in the family, and all danger of having the will con-tested would be avoided.

Mr. James M. Cross, one of the alleged dissatis-fied parties, said to a Sun reporter last evening that any allegation coupling his name or that of his wife with such proceedings was untrue. For pri-vate reasons all the heirs wished the will to stand, and he did not believe that any attempt would be and he did not believe that any attempt would be made to break it on the part of even those who had most reason to think themselyes treated unfairly. Her brother, Cornelius J. Vanderbilt, here, Mrs. Cross said, although reported to be among the dissatianed, appeared perfectly con-tented with his pertion, and when last seen, a few hours previously, seemed entirely willing to abide by the decision of the dead.

Railroad Accident. THE MOST MARVELOUS CONTINUATION OF SMASH UPS, RTC.—EIGHT PERSONS OUT OF FIFTEEN IN-

track at Gilbert's Station. One coach and bag-gage car rolled over flat on their sider, but were not much damaged. There were only fifteen passengers on the train, eight of whom were injured, but none seriously. They all continued their journey. It is supposed a heavy snow storm caused the accident.

Evangelists on the Road. New York, Jan. 10.—This morning Messrs. T. K. Cree and G. A. Hall set out on their tour of R. Cree and G. A. Hall set out on their tour of Christian visitation among the young men of the South. They act under the direction of the International Young Men's Christian Association committee. The tour contemplated extends from Virginia to Texas. Thirty-six places will be wisited, the first being Petersburg, Va., where the State Young Men's Christian Association convention of Virginia will be held January 18 Secret tion of Virginia will be held, January 12. Sever similar conventions have been arranged for at the South upon the line of their route.

President Orton Arrested. NEW YORK, Jan. 10.—A deputy sergeant-at-arms, from Washington, arrived here to-day, and having served on Mr. Wm. Orton an official

THE CITY OF RIOTS. NEW ORLEANS THE SCENE OF REVOLT,

the Pretenders—Capture of the Arsenal and Seizure of Nine Hundred Small Arms—All of Which Have been Speedily Distributed Among the Nicholls Soldier Police-No

(Special to the National Republican.) NEW CHLEARS, Jan. 10.—Notwithstanding the intense excitement provailing throughout the city there has been no breach of the peace whatever so far as assaults are concerned. Thus far only one shot appears to have been fired with effect, and that accidentally by a United States

Warmoth withdrawing with his friends broke the quorum.

About 5 o'clock p. m. Gen. Ogden, who had

amid the cheers of the people who lined the side

CAPTURE OF THE UNITED STATES ARSENAL. The arsenal, when captured, contained 2 gat-ling guns, 3 brass Napoleons and about 900 small arms. Of these about 800 were immediately isanybody to leave but no one to enter, constitut a detachment of sharpshooters were detailed by Gen. Ogden, who took position upon the rool and galleries of all adjacent houses which con mand the position.

REPUBLICAN LEGISLATURE IN SESSION. The Republican Legislature is still in session at 12 o'clock midnight, and will continue so all night and until 11 o'clock to-morrow, endeavoring to obtain a quorum so as to ballot for a United States Senator. Up to 12 a. m. this had not been secured. Warmoth seems determined to keep it

THE SITUATION AT NOON VESTERDAY. 11:20 a. m.—Everything is now remarkably quiet. No armed men are to be seen on the streets, and it is said they have all been dis banded. In an interview half an hour since with General Augur, he stated that he anticipated no further trouble. He had notified both Nicholls and Packard that he would only interfere to keep the peace, and that when it was reported to him last night that Nicholls' police were preventing Government officials from visiting the State-house, he promptly notified Nicholls that he could not allow that, and Nicholls replied that it was done without his knowledge. LATEST FROM THE PRONT.

There is no change in the situation, nor is there any trouble anticipated. The Nicholis party assert that they are satisfied with the situation, and will make no further aggressive advances. their future intentions, and emphatically disclain any hostile purpose toward each other. A train of cars from Mobile, brought in several companies of United States troops at 11 o'clock

In its leading editorial on affairs of yesterday, the Republican also says: "As we have at present gressional committees trying to find out the truth about the late election, perhaps the President may deem it his duty to establish martial law until such time, if ever, as Congress shall come to ome conclusion or agreement in the premise community a season of peace, such as they under-stand it, instead of sounds of war alarms and the tramp of armed men that all day yesterday re-sounded through the streets of the city. Though we are tolerably well seasoned to popular commo tions here, there is decided preference on the part of the majority of the people for a government of any kind strong enough to maintain itself over the uncertainties necessarily insident to two

LATEST ADVICES FROM THE SCHNE OF CONFLICT NEW ORLEANS, Jan. 10.—There is much discus-sion here over the legal aspect of yesterday's prosion here over the legal aspect of yesterday's proceedings. The Democrats allege that Chief Justice Ludeling, who was appointed by Governor
Kellogg a few days since, could not hold over,
while the Republicans claim that the chief justice had authority to remove the sheriff before
he took possession of the Supreme Court room.
A ballot was had in the Republican Legislature
this afternoon for United States Senator, short
term, which resulted—Antoine, 15; Pinchback, 21;
Lewis, 12; Heathe, 9; scattering, 9.

In the House, after this ballot, Warmoth made
a motion, which was carried, that the Speaker
instruct the sergeant-at-arms to see that members had free ingress and egress to the State-

Court by Attorney General Ogden enjoining Al-fred Shaw from acting as judge of the Superior Civil Court, lately created by the Republican Civil Court, lately created by the Republican Legislature. The Democratic Legislature balloted once for United States Senator to-day without result. The Nicholis government has organized a regiment of field artillery. Gov. Nicholis to day made numerous appointments of parochial officers. Three Napoleon and two Gatling guns, lately taken from the Washington Artillery by Gov. Kellogg, were taken from the State arsonal to-day by the Nicholis government and drawn through the streets by bodics of men to the Washington Artillery armory.

ington Artillery armory.

Among those voting for Kellogg for Senator to-day were Warmoth, Albert Leonard and Gen.

McMillan. The latter two were members of the McEnery Senate of '74.

The armed bodies of men who thronged the streets yesterday were not visible to-day. A strong force of Nicholis' police, however, patrol

NEW ORLEAMS, Jan. 10—1:40 p. m—The Republican Legislature in joint session has just elected ex-Governor Kellogg to be United States Senator for the long term: The indications are that Lieutenant Governor Antoine will be elected to the short term.

NEW OBLEANS, Jan. 10.—The Democrats assert

NEW ORLEANS, Jan. 10.—The Democrats assert that the Republican Legislature was without a quorum to-day, as the absence of Senstors Hamlet, Weber, Wheeler and Demas left the Senate with one less than a quorum. The Republicans say that while there was no quorum of the Senate the joint session had eighty-four members, whereas seventy-nine was a quorum. They also say the death-of Senator Meredith has left the Democratic Senate without a quorum of members claimed by that body.

In the Republican House to-day Mr. Warmoth introduced a resolution which recites that the peace and good order of the State is threatened by the present condition of affairs, and that it is

by the present condition of affairs, and that it is the duty of all, especially those claiming su-thority, to provide means to secure good govern-ment and quiet to the State: therefore be it ment and quiet to the State: therefore be it—
Resolved, That a joint committee be appointed of
five by the Speaker and three by the President of
the Senate, empowered to confer with a similar committee appointed by the Legislature recognizing
Nicholls as Governor, to devise and report as soon
practicable measures to secure a law for a peaceable
settlement of the pending political contest relative
to the government of the State.

The resolution lies over under the rule.

No change in the situation is reported to-night.

THE DEMOCRATS TRYING TO BRIDE MEMBERS OF

NEW ORLEANS, Jan. 10.—The authorities at the State-house claim to have authoritie information, which they say will be published in detail in the papers to-morrow, of bribes offered to members of the State-house Legislature to join the Nicholls Legislature. They believe that these bribes have been accepted in some instances. Cabinet Conference

The following telegrams were received from General Augur by the Secretary of War and im-mediately laid before the President: BEADQUARTERS DEPT. OF THE GULP. NEW ORLEANS. LA. January 9, 1877.

ton, D. C.: Have not received assurances from General

Nicholls that the armed forces under his orders will be disbanded at once, and that he has given strict orders that no disturbances should occur, Brevet General Commanding.

HEADQUARTERS DEPT OF THE GULF. NEW ORLEANS, LA., January 8, 1877.

Hon. J. D. Cameron, Secretary of War, Washington. D. C.:
The armed bodies are the new police and armed forces acting under orders of the Nicholi government. They have substantially possession and Supreme Court are reported to have surren-dered to them, I have declined to interfere on either side until there was a violent breach of the peace. My orders simply authorize me to pre-vent violence and bloodshed. None has yet oc-curred. Will communicate your dispatch to Mr.

Brevet General Commanding.
The Democratic Representatives from Louis-iana yesterday morning received a dispatch from

cations that an attempt would be made to have the Supreme Court of the State, over which Judge Ludeling presided, recognised by the Fed-eral Government as the legal tribunal of the eral Government as the legal tribunal of the State as against the judges just appointed and installed by the Democratic government, and asked that the Representatives lay the case before the Attorney General and the President, claiming that the term for which Ludeling and his associates were appointed had expired. Messrs. Levy, Gibson and Ellis called immediately upon the Attorney General, and in company with that officer proceeded to the Executive Mansion. The President, Secretary of War and General Sheridan were in close conference on the Louisiana question, and after that had ended the Louisiana Representatives had the desired

Louisiana Representatives had the desired iana say their conference with the Presi xceedingly satisfactory, but it being of a confi ential nature they decline to give it in detail.

TELEGRAPHIC ORDER TO GEN. AUGUR. ien. C. C. Augur, New Orleans, La .: It is reported that the State-house in New Orleans is surrounded by a mob. If this is so notify all persons to disperse and compel com-pliance with your order. It is the determination all the facts in the premises he will decide which

The Attorney General stated at a late ho last night that he had received dispatches from New Orleans which indicated that the situation there is extremely critical. One dispatch says that force was employed in the seisure of the po-lice stations, meet of which were then in posses sion of the Nicholls force. A subsequent portion of the same dispatch is somewhat ambigue its phraseology, so much so as to suggest contradiction of the first statement. He say that no change has taken place in the deter mination of the Government to await fuller in ormation before taking action with refere further states that any disturbance of the per will be dealt with in a most summary manne Such a condition of things, he says, would ad greatly to the embarrassment of the questio with a view to final settlement.

A TAMPEREDWITH LETTER

Found at the Capitol Addressed to Samuel T., and Supposed to be from the Pen of Abe Hewitt—A Discouraging Account of Affairs and Alarming Apprehensions of Defeat— Hewitt's Plan to Succeed.

The following letter, picked up in front of the Capitol, presenting the appearance of having been "tampered" with from the initials and other internal evidence, is supposed to have been written by the Hon. A. S. Hewitt to Governor Tilden WASHINGTON, D. C., Jan. 9, 1877.

MY DEAR GOVERNOR: I have not written to yo as often as I promised. The truth is that my inti-mate and confidential relations with you are so well understood by the Radicals that my every move-

On last Saturday night our friend Fernando gave adinner in honor of Governor Grover, to which were invited some of the leaders of the Democracy were invited some of the leaders of the Democracy. Afterdinner several appropriate sentiments were given and responses made. Mr. Blajr gave a truthful and amusing history of the way the Democracy elected Mr. Polk in 1844. Our brilliant friend Cox. (whom you don't think much of,) save in one of his exquisite and classical yarns. I told of my efforts in the campaign, and all passed off well until MR. HILL, OF GEORGIA.

MR. HILL, OF GEORGIA,
was called out. You know that he is a gentleman
of the highest order of intellect, but he is more
anxious to maintain his reputation as a sawer than
a politician. I looked for his speech with much
anxiety, as I did not know his opinion as to the
power of the House to nullfy and diaregard the action of the Electoral Colleges of the several States.
I was not kept long in suspense. He announced
at the outset of his speech, that he did not believe
that either House of Contrary by their research or that either House of Congress, by their separate or joint action, could touch a single vote given by the colleges, under any pretence whatever. He contended, with great force, that the Electoral Colleges were, by the Constitution, supr me so far as the election of President is cone rued, when they have given a majority of their votes to any one man. Mr. Hill, I doubt not, is a gentleman of houset and decided convictions, and will no te governed by mere expediency. This does not, of course; quiet the honest condition of our party. I let him know that such doctrine did not suit me, and I read him outfof the party.

that such doctrine did not suit me, and I read him out of the party.

I supposed that the specches mageat the banquet, before a select number of me leaders, would not find their way into the papers; but I was mistaken, On opening THE ERPUBLICAN yeaterday moraing I found them printed in full in that paper. How they were procured I have not yet been able to find out. The speech of Mr. Hill, as published, produced a good deal of

CONSTRENATION ANONG THE DEMOCRATS

Who were not present at its delivery. I fear that it

out. The speech of Mr. Hill, as published, produced a good deal of CONSTERNATION ANONG THE DEMOCRATS who were not present at its delivery. I fear that it will have a bad effect among the rank and file of the party in the country, as (between you and I) I don't see very well how it can be satisfacto diy answered. Several of us leaders called on Mr. Hill and requested him to rise in his place on the floor and disown having made the speech. This he refused to do. I give it as my opinion that Mr. Hill, having been raised a Whig, and was opposed to secession, has no very great love for the Democratic party. At any rate, he would not abandon his own notions of right to advance the cause.

I am afraid that your purchase of that one vote in Oregon will be exposed. That indomitable Radical leader, Morton, has got his grip on the case, and, like a buil-dog, he never lets go. He will find out that you furni-hed your nephew, Pelton, with the \$8,000 to pay for it. I told you at the time that Pelton would botch the job, but you insisted and swore that he should do it. I relied on that vote, (as I said in my great speech at the banquet.) but I am now afraid I shall be compelled to give it up.

Your scheme of arousing the Democrats all over the country by State conventions has been a failure. From all I can learn the conventions have been attended mainly by persons who expect to hold office under your Administration. The real, solid, property-bolding Democrats were not on hand. The leading Democrats here not on hand. The leading Democrats here we days before the counting of the votes in the presence of the Senate and House of Representatives is to take place. This is

INTENDED TO OVERAWE THE REPUELICANS and Democrats here two days before the counting of the votes in the presence of the Senate and House of Representatives is to take place. This is

INTENDED TO OVERAWE THE REPUELICANS and compel them to yield to our wishes. It will not succeed: Men of our blood cannot be driven. Intimidation did us good service in the recent ele

He has sworn to support the Constitution and to enforce the laws, and he is of the sort to do it. Say what you may of him, you can depend upon it. he has a good deal of the material out of which "Old Hickory" was made.

If we are to succeed at all, (and I am beginning to doubt it.) it must be done on my plan, which is this: I want to get a joint resolution passed through Congress to the effect that the vote of any State may be; thrown out by the joint action of the two Houses. This cone, I intend recurring the aid of enough Republican Benators to throw out Louisians, giving up the Oregon vote. Some of our folks here count on Blaine, Conkling and Edmunds to he'p us out, but they do not know their men. They are, comparatively, young, ambilious, stand high with their party, and each wants to be President, and they are not d—d fools enough to cut their own throats in that way!

I RELY UPON THE CARPET-BAGGERS, as I know how to reach them, I shall call our friend Barnum to my aid. It will not require a great numb r of mules. When needed is shall draw upon you for them, as I have done heretofore.

If my plans are not interfared with by a sat of d—d as in the Democrats here, I shall place you in the White House on the 4th of March as sure as hell, as our friend Morrissey would say By the way, I promised to keep that gentleman posted; but I am too buy to write to him to-day. When he consult with you about the mules you had sent to Oregos. Morton is hell-bent on sifting that mat-

consult with you about the mules you had sent to Oregon. Morton is hell-bent on sifting that man ter to the bottom. He is a hard customer to de-South Carolina.

THE LATEST COUNT SHOWS A MIXED STATE
TICKET BLECTED—A BYSTEMATIC ARRANGE-MENT OF SUCCESSFUL CANDIDATES. MENT OF SUCCESSFUL CANDIDATES.

COLUMBUS, S. C., Jan. 10.—The latest investigation of the recent election in this State is that of Special Referse O. A. Wilkes in the case of the State officers. The returns from the various counties and the various precincts of each county have been again overhauled with great eare; this time, however, by clerks and gentlemen representing both political parties. The referees' report will not be completed for several days, but the result is semi-officially announced to-day as follows: Secretary of Treasery, S. L. Lesphart, Democrat; Secretary of State, H. E. Hayne, Republicar; Attorney General, James Connor, Democrat; Comptroller General, T. O. Dunn, Republican; Superinteneent of Education, J. R. Talbert, Republican. Dunn, Comptroller General, is claimed to have been elected over his opponent, General John Haygood, (Dem.,) by a majority of one vote, Leaphart's majority is given in round numbers at 44, and Connor's at 100 votes.

CONGRESS WITHOUT SURSPICTION.

The Election of Bresident the Duty of the States. The Record of Their Election Scturns Concentrate of the Result. The Duty of Counting the Voles. How Determined and by Whom to be Performed. The Subject Considered in the Light of the Constitution and from the Sundpoint of its Framers.

There is one view which so mr as the discussion of the question of the proper authority to decide as to the validity of the electoral returns has progressed has not been advanced by any disputant, and which, as it seems to us to have a decisive bearing upse the insue involved, we propose to submit to the public judgment.

In the exercise of abundant prudence the framers of the Constitution provided for the better security of the country against the passibility of a failure to sleet an Executive head of the Government by ardaining a dual mode of election, employing twe distinct classes of sectors—one primary and original, to be chosen or appointed by the States, and the other secondary and resultant, to proceed in organized form from the Constitution itself, in the event of no election by the primary agency. But while the result to be observed in the class of sectors—one primary agency. But while the result to be observed in the class of sectors—one primary agency.

Constitution itself, in the event of no election by the primary agency. But while the result to be obtained is the same in both cases, there is a material difference in the prerogatives to be exercised by the two belies. In the one case it is exclusively that or the sovereignity of the States asserting the deect will of the people, while in the other it is Dat of delegated authority, frequently representing a past sentiment, and as often in the misority when earried into effect by the action of the body exercising it. The vote, however, with both classes is by States, rendering it clear that whether elected by the primary or secondary bedy it was the intention of the or secondary bedy it was the intention of the authors of the organic law that the duty of electing a President should be whelly confided to the States, and be in no case remitted to the

vened for the performance of this duty, is no longer the House of Representatives, acting in its ordinary capacity, but a specially organized body, composed of delegates from the several ordinary capacity, but a specially organized body, composed of delegates from thes several States, brought into existence by the Constitution for the single object of completing the work of the States in the election of a President, by the supplemental action required of it in the continuency provided against. So, in like manner, upon the happening of the same contingency, the Senate is specially authorized to elect a Vice President; and this being so, can the Senate and House of Representatives, when met in joint convention to witness the opening and count of the electoral vote, be admitted to have the power to cabrass and pass upon the sufficiency of that vote? Sound reason, guided by the usages of experience, must answer this question in the negative; for if otherwise, then Congress, composed of the identical persons who may in the sequel become electors to choose the officers to be elected, would have it in its power at all times, with or without sause, to defeat the action of the primary and constitutionally preferred body of electors, and thereby substitute the agency of the secondary body or bodies, of which its own members are electors, enabling the consummation of a partisen design to circumvent the will of the people and secure a President and Vice President of its own choice. Can it be for a moment believed by any well-informed person that the fathers intended such a result should be possible; that they sought to clothe Congress with such absolute, extraordinary and dangerous power—a power to acquire a product it is not within the range of belief that this view will find respectable supporters upon serious reflection, when the consequences are so obvious and so subversive of free government. For it will be assented on all hands that if there was any controlling purpose

IN THE MINDS OF THE POUNDERS OF THE REPUBLIC it was to give the fullest scope to the fundamental principle of our system that the will of the majority, authoritatively expressed, shall conclude parties and administer the Government. To secure and perpetuate this result by devising means to ward off Federal encroachment and canger from every sources must be assumed to have been an object of extreme solicitude operating upon their judgments in the adoption and adjustment of the powers vested by the Constitution.

Another equality foreible objection to the assertion of this power by Congress is that it would be the exercise of a judicial function of the highest order, claiming, as it does, the right to pass upon the regularity and sufficiency of the action of the States in a matter touching the very foundation of their existence, that which has been left within their exclusive coatrol; claiming, as it does, the right of the Federal Legislature to review and aftern or reverse the perfected action of the States in a state of their covers and aftern or reverse the perfected action of the States in a state of their covers and aftern or reverse the perfected action of the States in a state of their covers and a state of the returns of their own elections. right of the Federal Legislature to review and affirm or reverse the periected action of the States in attesting the returns of their own elections. Being, then, a judicial function, it is clearly one not to be exercised either by Congress or by any other power on earth; for it is the plain intendment of the Constitution that the proceeding to be witnessed by Congress is only the opening and count of the votes, which is necessarily only a ministerial act. We say it is the plain intendment of the Constitution that this shall be the character of the processing. It is more than that, it is the express provision of that instrument "The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the vote shall then be counted." This is all there is to be done—to open and count the vote; and that this is all is plain from the context, "The person having the greatest number of votes for President shall be President, if such number be a majority of the whole number of electors appointed." All that is to be ascertained is the number of votes and for whom they were cast, noting whether any candidate receives a majority of the whole vote. This imports only the task of addition, a mathematical labor strictly within the province of the duty imposed, and within the definition of the verb te count. This, then, is the only thing to be done, and it is the simplest of ministerial duties.

verb to count. This, then, is the only thing to be done, and it is the simplest of ministerial duties.

AN UNANSWERABLE ARGUMENT.

If it had been intended that the vote should be canvassed, contested and adjudicated upon, as well as counted, is it not supremely absard to suppose that men so versed in the construction and interpretation of language would not have seen the insufficiency of the phrascology adopted, and have explicitly provided for the performance of the enlarged duty? That they did not do this is the completest demonstration that the duty was not contemplated. And beside, if the intention was to impose the double duty, would not the superior of the two have been expressed, leaving the inferior one to implication, instead of the reverse, which is the fact? To maintain otherwise is to impute incompetency and folity to the framers of the Constitution. If the intention had been that Congress should exercise the judicial function of canvassing and determining the validity of the votes to be counted, the language would have been something like this: "The votes shall then be counted, unless there be objection, and if it be sustained, then the vote to which it applies shall not be counted." Such as this would have been the unambigous language of the wise and far-seeing men who drafted the provision in question. They would have been the lamentable consequences of uncertainty which have befallen us, and have rendered their meaning so unmistakably clear as to have precluded it. Nothing less could have been expected of the large experience and patriotism of those who created this Union. Nor, in that case, would they have rested there. They would have gone further, and provided a special oath to be taken by the members of the Senate and House of Representatives before entering upon the duties of this high court of review—such as is required of the Senate in cases of impeachment. There can be, at all events, but little distinction between them. They would more required for sarfe guidance; for none were better a AN UNANSWERABLE ARGUMENT.

at the hazard of such a judgment, quicker than they. For these reasons it is
CONCLUSIVELY APPARENT that the set of counting the electoral vote is
strictly ministerial, and that the term "count"
imports no duty beyond that literally expressed
by its use; and from the character of the duty,
expressly imposed upon the Fresident of the Senate by the direct letter of the Constitution, considered in connection with the admitted imprepriety of efficial section on the part of Congress, in
a matter in which its members have an indirect
personal interest, through a direct political one,
it would seem that even this comparatively insignificant duty is withdrawn from the participation
of Congress, and devolved upon that officer alone,
except as clerically assisted by tellers. But still,
if it were to be assented that Congress may participate, it could not change the result, since the
duty is restricted to the act of counting the votes,
and the mathematical computation must be the
same, whether done by one or many.

But if against all these considerations the contrary view prevails, see how easily the minority
may substitute its own will for that of the majority, as expressed at the polls, when it shall
happen to have a majority representation in Congress, as the result of an antecedent election. It
may do this, if at all, by any objection insisted
upon, however unfounded or fiviolous, going
either to the fairness of the election in any of
the Sinker as conducted in pursuance of Sinker.

of the necessity for such certificate.

The Constitution is silent on the subject, and the only occasion for them is found in the general set of Congress prescribing uniformity of proof in matters of State concern, which requires such State errification, and directs that it shall proceed from the Governors. The only certificate mentioned in the Constitution is that of the electors themselves, to be appended to the lists of votes for President and Vice President, which, when made, is to be sealed and transmitted with the lists of the President of the Senate. Under the Constitution, therefore, the right of the cleaters to set and be recegnized as such depends upon no certificate as to their qualification at all frem any source, and the validity of their action cannot be questioned for want of one. The act of Congrew is directory only, and, consequently, would not be constitued to defeat the pell of a State because of the absence of the certificate required. Were it otherwise, then the Governor of any State might, in the interest of party, or from their previousness, neglector refuse to give the Blate of its suffrages and of its attribute of tovaright; just as one of the States now has been se far as the adverse action of an inimical Governor can compass that end. The Constitution we have shown contemplates no such result by reason of the neglect inspired by partisanning or vensity on the part of a State officer, and it remains to be seen whether any respectable portion of the American people, or of their representative, will ascent to the proposition.

As a corollary to this view that the alcotorial vote of a State smoot of the Problem now before the people; that to prevent a lapse of State amatter of public knowledge, similendly by the action of chooling to the view of the Government wisely determined that the appointment or choice of electors should be reparded an matter of public knowledge, similending the decident het propor department by the regularly constituted suthorities for that purpose; and that the co AW EXAMINATION OF THE GENERAL QUESTION

opening the electoral retuens, and every agency concerned in the witnessing and declaring the count, should be bound by the proper official transcript of such records, the same to be everywhere received and accepted as conclusive of the question involved, in accordance with the provision of the first section of the feurth article of the Constitution, that "full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State." And hence that, without reference to the number of returns received by him from any State, none of them being accompanied by the properly certified record, the President of the Senate is bound to know, by diligent resort to such proper means of knowledge, which are the actual and true returns, and may not read nor count, nor submit to be counted by the tellers appointed to assist him, or by the Senate and House of Representatives, if they shall participate in the count, any other than such actual and and true returns as shown by the records of the State from which they come.

This is a plain and necessary implication from the fact that the Constitution is silent in respect of any specific mode of ascertaining the appointment or choice of electors, and from the fact that the Constitution is silent in respect of the State concerned, and thus result, if the defect be held to be vital, in utber disregard of the rights of the State concerned, and thus result, if the defect be held to be vital, in utber disregard of the rights of the State concerned, and of the expressed will of the people thereof, and ultimately in disaster to the nation. And this result, so far as at present revealed, is practically illustrated by current versies, in an attempt to accomplish it in the case of the State of Oregon, and in the threatened attempt to go behind the official returns of some the doubtful States.

The certificate of the Governor of a State, in the light of recent developments, cannot be received as being more than prime facile vidences in the las

of the fact certified; and if the net of cerunos-tion by the Governor is to be regarded as impress-ing the stamp of genuineness upon the returns so wouched, as against all other means of knowledge, then we have before us the consequences fore-seen from the standpoint of these views. If this reasoning be sound, the logical deduc-

tion is:

1. That the electors shown to have been chosen by the official records of the several States are the true electors, with or without the certificate required by the act of Congress, and their votes will be received and counted in the election of will be received and counted in the election of President.

2. That the duty of counting the votes is a min-isterial duty only, and as such is properly con-fided to the President of the Sanate, as cleri-cally assisted by tellers, and witnessed by the Senate and House of Representatives.

3. That if it presented an issue for the exercise of judicial functions, there would be no power to decide it, no tribunal having been created for that purpose, and it being clearly incompetent for the Senate and House of Representatives, for judicial reasons, and for any other Federal astherity, for political reasons, to assume such jurisdiction.

New Hampshire.

REPUBLICAN STATE CONVENTION MET YESTER-DAY AT CONCORD. CONCORD, Jan. 19.—The Republican State convention met here to-day with a full attendance Officers were chosen, with Hon. Austin F. Pike chairman, and the usual committees were appointed. Benj. F. Prescott was nominated for Governor on the second ballot, receiving 55 votes, when 324 were necessary to a choice, anthe nomination was made unanimous. Granvill P. Conn was elected railroad commissioner.

RESOLUTIONS ADOPTED DEPRECATING THE CERTAIN PRINCIPLES. CONCORD, N. H., Jan. 10 .- At the Republican

CERTAIN FRINCIPLES.

CONCORD, N. H., Jan. 10.—At the Republican convention held here to-day the following resolutions were adopted:

1. The first and permanent allegiance of citiens is to the Constitution and Government of the United States.

2. That the United States Government is in turn bound to maintain and protect each and every citizen in the full, free and open exercise of every right and privilege appertaining to citizenship.

3. That we view with alarm and indignation the attempt made by the Democratic party of the South, countenanced and upheld by its Northern wing, to rob the freedmen of their franchise by intimidation, violence and murder.

4. We condemn as disloyal and inhuman, and fraught with the utmost peril to our institutions, the conduct of the late Presidential canvase by the Democrate of the South, in that they undertook by processes that shame our civilisation to nullify, indirectly, constitutional amendments adopted to conserve the fruits of the victory over the rebellion and to overthrow the large majority against them in several of the Southern States.

5. We also condemn the attitude of the Democratic leaders, especially of the North, since the Presidential election, in striving to secure by illegal and violent means an advantage which does not belong to them, and by such methods to count in Samuel J. Tilden as President of the United States. The incondiary appeal and rebellious threats of Northern Democratic orators and newspapers are such as to put to shame any declarations that have thus far emanated from Southern sources, and are deserving of the severest censure and condemnation.

6. We tender our earnest sympathy and pledge our undivided support to the Republican party.

7. It is a matter of especial congratulation that in this trying hour of the nation's experience we have in the Presidential chair the great chieftain and distinguished civilian, U. S. Grant.

8. We welcome all evidence of a disposition of the part of those lately in arms against the Government to accept in good

Turkey.

NEW PROPOSITION PRON RUSSIA.

LONDON, Jan. 10.—A special dispatch from Constantinople to the Pall Mall Gazette says General Ignaties, the Russian representative, in a confidential communication to Midhat Pasha on Saturday urged the acceptance of certain points of the cenference proposals and indicated means of leading others. He advised the acceptance of an international commission with consulate powers only. He suggests the appointment of officers of instruction, instead of the appointment of a foreign gendarmes, and the appointment of a Bulgarian instead of a European as Governor of Bulgaria. He guaranteed Russia's assent to proposals thus modified. He denied in the course of his letter that Russia incited Servia to make war. TO-DAY'S MESTING OF THE CONFERENCE CONSIS

LONDOM, Jan. 11.—The Vienna correspondent of the Times considers that to-day's meeting of the conference will be a great step in advance, as a basis will then be found in the Andrassy note on which discussion will be possible. The post-ponement of the meeting from Wednesday to Thursday also shows plainly that the Turks are preparing for a compromise. According to one report this compromise will be based on the Andrassy note. Another report is, that the Turks will propose that the Powers relinquish the demand for special reforms in Bosnis, Hersegovina, and Bulgans, in return for which concession the Porte would allow as international commission to superintend honest application of the constitution in these Provinces. Which ever of these versions is true, there can be little doubt that the Turks see the time for yielding has come.

NEW CONSTITUTION NOT APPROTING INTEL

CHRISTIANS.

CONSTANTINOPLE, Jan. 10.—The Turquie states that in consequence of Roomania's unessiness the Porte has officially declared that the new constitution was purely internal, and not affecting the right of a principality guaranteed by international treaties.

London, Jan. 10.—A Reuter dispatch from Constantinopie says the Marquis of Salisbury will have an interview with Midhat Pasha to morrow. It has been remarked that Gon. Ignatieff's attitude toward the Porte has been more conciliatory for the last few days. The armitaken from the Christian minabitants of Bulgaria at the time of the insurrection are now being restored. Boumania's resciution to throw off allegiance to the Porte is understood to be contingent upon the latter attempting to enforce the application to Roumania of article seven of the new constitution.

THE DUEL AT SLAUGHTER'S BENNETT AND MAY STILL MISSING

tory of an Eye-Witness Description of the Dueling Ground—The Tracks Still in the Snow—One Round Fired and May Wounded in the Pistol Arm. Rumors and Conjec-tures About New York City. Bennett Said to Have Sailed for Europe. May's Where-abouts Unknown. The Grand Jury Begin-

abouts Unknown—Inc Grand Sury and ing an Investigation.

Baltimore, Jan. 10.—May was wounded in the pistol arm. As he brought his weapon to a level the ball from Bennett's pistol struck in about the upper third and west towards the elbow, inflicting a painful wound and disabling a pather shot which was de-

manded by Bennett,
PHILADRIPHIA, Jan. 10—Professor William
H. Paneoast, the selebrated surgeon who occupied the chair of anatomy at the Jefferson Medical College, of this city, was called away suddenly yesterday aftermon by the receipt of a
telegram from the Soath. It is asserted that he
was sent for to extract the ball which Prederick
May received in his duel with James Gordon
Bennett. It is currently believed that May is
still in Baltimore at the house of his cousin, and
is serfously wounded. On the Battle-Ground, 5 attal

THE NATIVES SPECULATING AS BEST THEY HAT WARE BLANK CARTAIDORS USED? being on a cash-basis. They propose to fence in the field of the duel. The point of the fight is about half a mile from here. Five of the party were on the field, the ethers being stationed as videttes along the line of the road. It is the opin-ion here that blank cartridges were fired.

videttes along the line of the road. It is the opinion here that biank cartridges were fired.

CONJECTURES AND CERTAINTIES.

New York, Jan. 10.—No further information has been received from the participants in the recent duel up to noon to-day. The whole affair thus far, details and all, seems to be based upon mere ecopecture. The code demands that when a person is not hit by the first fire a second round becomes necessary, which first fire a second round becomes necessary, which falling a third shot is exchanged. If this be attended by no injury, then full satisfaction shall be considered as granted. Knowing those facts, and that the parties would in all probability never speak of the event, it is very simple and easy to draw upon the imagination.

The preliminaries were all arranged by the seconds in a few moments, beyond the hearing of any one, and then the party of seven walked to the small wood east of the farm owned by lawyer Mirphy, of New York, and occupied by McGlinnis, where there is a slight depression in the ground. From the description of the seconds, I think Bennett was supported by John Heckscher, a good pigeon shot, and the principal in the Gray-Heckscher duel, that created such a soandal about two years ago, and May was seconded by his cousin, Dr. May, of Baltimore. Nothing was thought of the movements of the men at first, the impression being that they were railroad speculators, or possible purchaters of land, as some hints of that character were carelessly thrown out. A small, zinc-overed trank, however, was in possession of the party, marked C. P. New York—Dr. Chas. Phelps, undoubtedly, who was to act as Mr. Bennett's surgeon in case of the man described as Bennett, and his story is

When the men faced each other my farmer informant thinks the sun was shining in the eyes of the man described as Bennett, and his story is that he did not think the men meant to killeach to the man described as Bennett, and his story is that he did not think the men meant to killeach to the until he saw their supporters pacing off a distance in the snow. Then, when he saw the pistols, he got behind a fodder-rick, for he though they meant business.

"It was like a dream," continued the man; "I think I see 'em now, just beyond the old stump. I heard somebody say, 'Are you ready!" then there was a sharp report, and both men stood just as they did at first."

"You did not know that one was hit?" "Not until I saw one of May's friends, as you call him, go to him and examine his arm and side. I think It was his arm was hit."

The man said he did not want to talk further about the matter, and he would not permit his name to be used. He either had a vague fear of boing called as a witness, arrested by the constables, or else he had been bribed, as it was only with the utmost difficulty these few facts could be obtained from him. He thought the men "made up" and shook hands after the firing: "somebody shook hands, anyhow," he said, "but the men hurried toward the station again, and went away in separate parties."

A boy who saw the May party drive away said "the bigger man was hurt, as his friends nelped him along;" but this may be an erangeration, as another person said he walked away without assistance. Nobody who saw May would positively say he was wounded. There is one thing certain—the footmarks are in the snow, the dust has been fought, and but I fitle more light can be thrown on the affair here.

TO PRISON FOR CONTEMPT OF COURT.

NEW YORK, Jan. 10.—Dr. Charles Pheips, who
was connected with the the May-Bennett duel,
was subponned to appear before the grand jury
to-day to testify concerning it. He refused to
answer all the questions, on the ground that he
would criminate himself, and on being brought
before Judge Gildersleeve in the Court of General Sessions and still refusion, he was committed
to the city prison for thirty days for contempt of
court.

COUNSEL FOR DR. PHELPS, THE INCARCEBATED DUELIST, AFFLIES FOR WRIT OF HAREAS CORFUS.

NEW YORK, Jan. 19.—The counsel for Dr. C. Phelps applied to Judge Donohue, of the Supreme Court, for a writ of Abd-as corpus. The petitioner says he was subpossed before the grand jury, and asked to answer certain questions tending to show that he was cognizant of some alleged crims which had occurred out of the jurisdiction of this court, which he refused asswer, and was committed for alleged contempt of court; that the grand jury has no jurisdiction to inquire into the matter, because the answer to their question would tend to expose him to prosecution in another State for felony, wherefore he prays for a writ of habese corpus.

Judge Donohue granted the writ, and made it returnable in the Supreme Court Thursday morning.

The following are the questions asked by the COUNSEL FOR DR. PHELPS, THE INCARCERATED

returnable in the Supreme Court Thursday morning.

The following are the questions asked by the grand jury:
On leaving New York on Sunday, did you see James Gordon Bennett?
When did you last see him?
Do you know of any hostile meeting having occurred between Mr. Bennett and Mr. May?
After leaving New York on Sunday, when and where did you see Mr. Bennett?
At whose request or intervention did you leave New York on Sunday?

New York on Sunday?

MR. BENNETT'S WHEREABOUTS.

NEW YORK, Jan. 10.—It was commonly reported about the city to-day that James Gordon Bennett sailed for Europe this afternoon on the etsamer Parthia. No information on the subject could be obtained at the Herald office or the Cunard office. His name does not appear upon the passenger list of the steamer, and if he sailed at all he did so under an assumed name. The report is given for what it is worth.

STORY TOLD BY A MARYDELL PARMER—ONLY ONE ROUND FIRED—MAY SHOT IN THE ARM OR SIDE.
A correspondent of the Philadelphia Times
wrote to that newspaper from Marydell, Md., on

A correspondent of the Philadelphia Times wrote to that newspaper from Marydell, Md., on Tuesday night:

Your correspondent took a special train when the fact of the duel became known to him, and has been all over the field, accompanied by a man who saw the fight and was fixing a fence when the parties appeared to settle the quarrel. Marydell is a lonely place, barren and forbidding, on the Maryland and Delaware railroad, and just on the State line. A few houses excitered over a wintry plain, an old station-house, a barnlike building where peaches are canned, a tuft of scrubby wood and a ruined stone wall to mark the division between Maryland and Delaware, and you have a winter picture of this now famous duelling place. My informant tells me that the party when they arrived from Clayton consisted of six, although I learn from other sources that one of the company was left at the junction to watch for any special train or constabulary, and another was left at Slaughter's for purposes of precaution, making the May-Bennett party eight all told. There is no doubt that Fred May, his consin Dr. May, and one friend, name unknown, came to Dever from Baltimore, and joined the Bennett party at Marydell about 2 o'clook.

Contrary to report, Mr. Bennett is not in the city, although several gentiemen who were seen this morning though they had seen him at a distance this morning, and it is not at all unlikely that, if he were in the city, it would be known at his residence. At the Union Club this morning there was little conversation excried on regarding the duel; but, beyond the usual theories, nothing was known. On Wall street the excitement has subsided considerably, and the chief speculation indulged in was in regard to the whereabeuts of the principals.

The May family have heard nothing from Pred, except the telegram which was received directly after the duel had occurred, but the careworn expression of Dr. May's face has disappeared, and he does not appear se downexat as he was yesterday.

Dead Lock.

The NOTE IN THE

A TIE VOTE IN THE NEW JERSEY LEGISLATURE.
TRENTON, N. J., Jan. 10.—In the House to-day
the members-elect were sworn in. A protest was
presented contesting the seat of J. Vance Powers,
Dem., of the Third district of Mercer county; Dem., of the Third district of Mercer county; which was referred. After the members were sworn a ballot was taken for Speaker. Sewell, of Usmden, received 30 votes, and Rabe, of Hudson, 3: no election. A second ballot was taken with the same result. A motion prevailed that no advantage should be taken by either party of temporary absence of members, but it shall require a majerity of the whole number (31) to elect a Speaker and other officers. Adjourned.

from Madeira to the Manchester Guardian says the King of Dahomey is very anxious about the intentions of Great Britain. The people of Whydah, since a British gunboat ascended the Laguona, are reported reasy to dethrone the King if cer-tain that the British will attack. A Man Crushed to Death.

A Man Crushed to Death.

Newton, N. Y., Jan. 10.—Demorest & Clarke's
furniture and undertasting store, was burned today. Loss, \$15,00. S. Halstedshafer, the proprietor of a book store, was crushed to death, and
Hubbard Stevens was badly injured.

COLUMBUS, Jan. 10, -Hon. William A. Wheeler

arrived here to-day and met Governor Hayes at

NO. 38.

CONGRESSIONAL REVIEW. No Sensation in Either House Yesterday—A Sort of General Miscellany Day in the Sen-ate—The Remonstiration of Silver Talked of in the Senate, and the House Consider the Propriety of Appointing a Commission to Examine the Relative Value of Silver and Gold.

The silver question has occupied much of the attention of the Forty-fourth Congress, both in the last and the present session, and yet the two Houses seem no nearer an agreement now han they were when the discussion commonced. In the Senate yesterday Mr. Boutwell presented the memorial of the Boston Board of Trade askpied that what he and the Board of Trade de-sired was that Congress should leave the ques-tion alone until a commission, composed of rep-resentatives of different countries, had deter-mined the relative ratue of gold and silver, and this is apparently what will have to be done. The Senate has already passed a joint resolution.

The Senate has already passed a joint resolution looking to such a commission, and which is new pending in the House, and will be disposed of one

Morriil called up the one heretofore reported from the Committee on Public Buildings and Grounds, authorizing the purchase of certain lots of ground on Pennsylvania and Maryland avenues discussion the bill was passed. revision of the laws—a very dry subject, which speedily cleared the galleries, and also drove

House of Repres The session of the House was also compara-tively dull. Even Mr. Mills, of Texas, did not have a personal explanation to make. Mr. Banks

The House then resumed consideration of the Senate joint resolution for a commission to act with commissioners from other countries to determine the relative value of gold and silver. During the discussion M. Henri Cernuschi, who has the reputation of being the best-informed man in the world on the silver questian, and who was on the floor and was an interested listener

Mr. O'Brien had charge of it in virtue of his being the acting chairman of the Committee on Coinage, Weights and Measures, and he at one posed of one way or another. The bill is advo-cated by the best thinking men in the House, ONE OF THE WITHESSES OF THE DUBL COMMITTED

TO PRISON FOR CONTEMPT OF COURT.

CREED BY INC. DESCRIPTION COURT. field, and if it fails it will be because of the sense-less idea of the inflationists (who are very strong in the House) that the commission will be in the interest of the further demonstization of silver. The real thinking men will be lead by the ideas of Hewitt and Kasson on this question.

The House closed the session with a brief consideration of the consular and diplomatic appropriation bill, but no real progress was made, as not an item was voted on. It was all talk over Holman's insane ideas of what he calle economy, but which is really penuriousness. Last session the salaries of Ministers abroad were cut down to a mere pittance, and now Holman wants to reduce them to a real beggarly allowance. After a profitless discussion the House adjourned.

PERSONAL.

Hon. Summer Howard, United States District Attorney for Utah, is in town, and is stopping at the National, Hon. Sumner Howard, United States District Attorney for Utah, is in town, and is stopping at the National.

J. Sterling Morton, Nebraska; S. K. Warren, Rochester; E. D. Thayer, ir., Worcester; James Kirby, New York; George Runets, Lowell, Mass.; R. A. Brooks, Warrentown; F. Sargent, Pennsylvanla; R. P. Brown, Philadelphia; G. A. Conner, Philadelphia; G. S. Collon, Baltimore; G. Shaw, New York; J. W. Heard, Baltimore; T. Bowdon, Baltimore; T. Gray, Newark; W. C. Andrew, New York; M. W. Feard, Baltimore; T. Gowdon, New York; M. P. Scates, Chicago; John C. White, New York, and Dr. R. H. White, of Baltimore are registered at the National hotel.

E. W. Tacker, F. F. Wallace, Chicago; Chas. Baker, A. D. Clarke, W. L. Quinnell, H. Woodruff, N. Y.; L. Mendeshall, G. Nugent, Philadelphia; J. B. Lindsey, Ky.; G. A. Wilson, C. V. Gwinn, W. S. Epperron, Miss.; B. B. Haines, Ind.; L. D. Greggs, Saralogs; J. Willman, Ct. N. H. Jenkins, Va.; E. R. French, city; Hon. W. S. Robinson, Ind.; Hon, L. C. Carpenter, S. C. Col. A. W. Jones, G. E. Brown, N. J.; Mrs. Pauline DeWitte, Miss S. E. DeWitte, Miss A. D. DeWitte and Master Walter DeWitte registered at the Ebbitt house yesterday.

H. D. Jaynes, Missouri; Edward Spaight, Newark, N. J.; W. J. Sayder, Newark, N. J.; P. E. Hastings, Philadelphia; C. D. Owens, New York; Edwin Hoode, Cheninatt, O.; J. G. Sickles and wife, Washington; Chas. E. O'Counor, Georgetown; W. G. Sickel, Trenton, N. J.; Hon. J. O. Whitehouse, New York; Miss M. J. Whitehouse, New York; H. A. Harvey, Orange, N. J.; Caleb Stetson, Boston; G. E. Thurston, New York; John L. G. Burt, Cineinatt, O.; T. J. Southard, Riehmond; R. Edgar Hastings, Philadelphia; J. C. Constant, New York; F. Kingman, Trenton, N. J.; T. Newman and wife, New York; J. T. Gause, Wilmington, Del.; A. E. Conover and Wife, New York; Geo. Taber, Philadelphia, and Harry Moore, New York; Have arrived at Willard's hotel.

SERVIA CONTINUES WORK OF ARMAMENT-STILL LONDON, Jan. 11.—The Standard's dispatch from Belgrade reports that Servia continues the work of armament. The first class of the reserve has

of armament. The first class of the reserve has been called out, and will be stationed at Gladova and Negatin.

Russia has purchased 100,000 Remington rifles for Servia. Gen. Nekitine has sent adjutants to Radojocats, Gladova, and Negatin to prepare plans for the march of the Russia army corps coming via Roumania. It is considered in Belgrade that the conference has misearried, and a speedy declaration of war by Russia is expected.

The Pest's Berlin special says the Russian Consul at Bucharest has been summoned to Kieheneff. The Pest makes the following amouncement vory prominently: "We have reason to believe there is still some ground for not despairing of a pacific sene. Within the last few days urgent representations have been telegraphed to the Porte, which have at least secured attention,"

. Telegraphic Brevities.
On Tuesday Osear Pollard killed J. M. Carlisle, a prominent lawyer, at Okalono.

At Woodstock, Vt., yesterday, Heary Gravin was found guilty of the murder of Herbert White.

The Appeel's Jackson, Miss., special says Hon. William R. Barksdale, member of the House from Grenada county, died yesterday evening.

The Russian Minister left Charleston fast night for Washington, and the Russian corvette, Bogaityr, sailed for Hampton Roads.

Hon, Henry W. Blair has been renominated to Congress by the Republicans of the Third New Hampshire district.

The South-street Presbyterian obtreh, at Morristown, N. J., was destroyed by firelast evening. The fire cought from the furnace pipe. Loss, \$20,000; insurance, \$25,000.

About fifty men marched along the river yesterday at Rondont, N. Y., compelling men at work at icehouses to stop. The companies here have been paying \$1.25 and \$1.50 per day.

Demorest & Clark's furniture and undertaking store, at Newark, N. J., was burned yesterday; loss \$15,000. S. Halsted Shafer, the proprietor of a bookstore, was erushed to death, and Hubbard Steams was baddy injured. Theo, Morford and L. D. Rosenkrans were slightly injured. Ambrose Williams and John Massaker were injured by a falling wall.

The south bound mail train on the Pensacola railread was chrown from the track Tuesday night by a falling wall.

The company has offered \$1,000 for the apprehensien of the acident rail, but too late to stop. Everything shows it was deliberately mispiaced. The company has offered \$1,000 for the apprehensien of the guilty party.

An Ashtabula, Ohio, dispatch says: "Mayor Hepburn reports that between three and four hundred dollars' worth of property has aiready been recovered. A committee of civil engineers for mariced parts, when all was right. The complete of the guilty party.